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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,526	08/29/2001	Paul R. Mort III	7472	7799
27752	7590	10/03/2003	EXAMINER	
THE PROCTER & GAMBLE COMPANY INTELLECTUAL PROPERTY DIVISION WINTON HILL TECHNICAL CENTER - BOX 161 6110 CENTER HILL AVENUE CINCINNATI, OH 45224			DOUYON, LORNA M	
			ART UNIT	PAPER NUMBER
			1751	5
DATE MAILED: 10/03/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/914,526

Applicant(s)

MORT III ET AL.

Examiner

Lorna M. Douyon

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1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Claim Objections

1. Claim 5 is objected to because of the following informalities: "of" in line 1 should be replaced with "is". Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 is indefinite because the recited detergent active materials do not fall into the categories of detergent actives recited in claim 8 to which this claim is dependent upon. This claim should have been dependent upon claim 1.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-5, 8, and 12-14 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Brichard et al. (US Patent No. 4,105,827), hereinafter "Brichard".

Brichard teaches particulate peroxygen compounds stabilized by coating the particles with a mixed salt such as mixed compounds obtained by crystallization of sodium sulfate and sodium carbonate of formula $\text{Na}_2\text{SO}_4 \cdot n\text{Na}_2\text{CO}_3$ where n is a number from 0.3 to 3 (see abstract). In

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Examples 3, 4, 5 and 8, Brichard teaches percarbonates coated with $\text{Na}_2\text{SO}_4/\text{Na}_2\text{CO}_3$ having a mole ratio of $\text{Na}_2\text{CO}_3/\text{Na}_2\text{SO}_4$ of 1.04, 1.04, 0.5 and 2.27 respectively. Brichard also teaches that the coated peroxygen compounds may be used in washing or bleaching compositions which include standard components such as anionic or non-ionic surfactants and builders (see col. 2, lines 12-27). Even though Brichard does not explicitly disclose the coating layer providing a surface area reduction of at least 10%, it would be inherent in the coated particles of Brichard to have the same property because same coated particles with overlapping proportions have been utilized.

7. Claims 1-5, 8, and 12-14 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over MacBeath (EP 0,651,053).

MacBeath teaches a particulate solid laundry detergent composition containing alkali metal percarbonate bleach coated with a mixed salt comprising an alkali metal carbonate and alkali metal sulphate salt; a peroxygen bleach precursor; an acidification agent and a means for enabling delayed release of said acidification agent (see abstract), wherein the mixed salt has the general formula $\text{Na}_2\text{SO}_4 \cdot n\text{Na}_2\text{CO}_3$ where n is from 0.1 to 3 (page 3, lines 10-25). In Example 1, MacBeath teaches laundry detergent compositions comprising surfactants, builders and 15 wt% percarbonates coated with $\text{Na}_2\text{SO}_4 \cdot n\text{Na}_2\text{CO}_3$ where n is 0.29 (see page 12, line 20 to page 13, line 35). Even though MacBeath does not explicitly disclose the coating layer providing a surface

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area reduction of at least 10%, it would be inherent in the coated particles of MacBeath to have the same property because same coated particles with overlapping proportions have been utilized.

8. Claims 1-3, 6-7, 9, 12-13 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Evans et al. (EP 0,057,611), hereinafter Evans.

Evans teaches spray-dried or spray-cooled soap particles coated with water-soluble inorganic substances (see abstract) wherein the soap particles need not consist entirely of soap but may contain up to 49% by weight of other soap powder components such as detergency builders, (see page 3, lines 12-18), and up to 15% by weight of anionic surfactants (see page 4, lines 23-31). The water-soluble inorganic salt for coating the spray-dried soap particles include oxides, carbonates, sulphates, particularly the sodium and potassium salts (see page 5, lines 17-22). In addition to the inorganic compounds, certain organic compounds can be used for coating such as the salts of nitrilotriacetic acid, and tetraacetyl ethylene diamine (see page 5, lines 22-27). In the Example on page 7, lines 1-26, Evans teaches spray-dried core particles comprising sodium soap, coconut oil monoethanolamide, ethylene diamine tetra acetic acid coated with sodium tripolyphosphate, sodium carbonate and sodium carboxymethylcellulose. Even though Evans does not explicitly disclose the coating layer providing a surface area reduction of at least 10%, it would be inherent in the coated particles of Evans to have the same property because same coated particles with overlapping proportions have been utilized.

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9. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans as applied to the above claims.

Evans teaches the features as described above. Evans, however, fails to specifically disclose particle core wherein the detergent active material comprises a blend of anionic surfactants and alkali metal carbonates.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate anionic surfactants and alkali metal carbonates in the spray-dried soap-containing particles before coating because Evans teaches that anionic surfactants and detergent builders may be added as soap powder components as taught on page 3, lines 12-18.

10. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. These references are considered cumulative to or less material than those discussed above.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (703) 305-3773. The examiner can normally be reached on Mondays-Fridays from 8:00 AM to 4:30 PM.

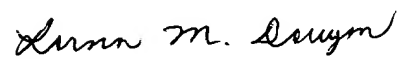
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Technology Center is:

(703) 872-9311 - for Official After Final faxes
(703) 872-9310- for all other Official faxes.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-0661.

September 21, 2003



Lorna M. Douyon
Primary Examiner
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